



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT  
CASE NO. 19258CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ARMSTRONG ET AL.

Serial No. 09/835,699

Filed April 16, 2001

Group Art Unit 1631

Examiner James Martinell

For: POLYNUCLEOTIDE HERPES VIRUS VACCINE

Transmitted herewith is an amendment in the above-identified application.

☐ No additional fee is required.

☒ The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>30</u>	-	** <u>20</u> =	<u>10</u> X	\$18	= <u>180.00</u>
Independent Claims	* <u>4</u>	-	*** <u>3</u> =	<u>1</u> X	\$86	= <u>86.00</u>
Multiple Dependent Claims					\$290 ****	= <u>          </u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						266.00

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

\*\*\*\* Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 266.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Laura M. Ginkel Date Sept. 23, 2004

Respectfully,

Laura M. Ginkel

By: Laura M. Ginkel

Attorney            for Applicant(s)

Reg. No. 51,737

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Date: September 23, 2004

IN DUPLICATE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Armstrong, et al.		
Serial No.:	09/835,699	Case: 19258CC	Art Unit: 1631
Filed:	April 16, 2001		
For:	POLYNUCLEOTIDE HERPES VIRUS VACCINE		
		Examiner:	James Martinell

Commissioner of Patents  
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Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

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BY: Laura M. Ginkel

REGISTRATION NO.: 51,737

DATE: Sept. 23, 2004

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Sir:

In reply to the Office Action mailed June 25, 2004, please enter the following amendments and consider the foregoing remarks. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims which begins on page 2 of this paper.

**REMARKS** begin on page 6 of this paper.

09/28/2004 CNGUYEN 00000016 132755 09835699

01 FC:1202 180.00 DA  
02 FC:1201 86.00 DA